

REMARKS

This paper is in response to an Office Action dated October 26, 2004, in which the Office issued a requirement that Applicant elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

The Office Action states that the subject application contains claims directed to the following distinct species:

<u>Species</u>	<u>Figure(s)</u>
I	1
II	2
III	3
IV	4
V	5
VI	6

With respect to the election requirement, Applicant elects ***with traverse*** Species IV. Claims 1-12, 18-22, and 24-29 read on the example shown in Fig. 4 (Species IV). It should be noted, that Fig. 4 illustrates the use of the digital cross cancellation technique of FIG. 1 to multiple channels. Fig. 2 illustrates the generation of a calculated error signal in the digital cross cancellation technique of FIG. 1. Fig. 3 illustrates the providing of additional signals to the input signal as similarly disclosed in the discussion of the DCC component 11 of FIG. 1. Fig. 5 illustrates the amplifier system of FIG. 1 being employed in a polar amplifier system, which is also discussed in the description of the amplifier system of FIG. 1. Fig. 6 illustrates the amplifier system of FIG. 1 residing in a transmitter of a base station. It is to be appreciated that Figs. 2-6 illustrate examples of possible embodiments of employing the digital cross cancellation technique of FIG. 1 and thus should not be considered species for purposes of prosecution.

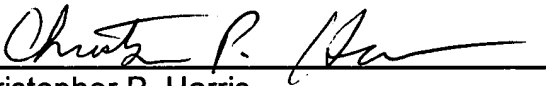
It is noted that, in contrast to the assertion in the Office Action, claim 1, 18, 21 and 25 are generic to all species suggested by the Examiner. Additionally, applicant's representative does not believe that there would be a series burden on the Examiner if a restriction is not required, and thus at least the second criteria for a proper requirement for

restriction has not been met. (See MPEP § 803.02, § 806.04(a) - § 806.04(i), § 808.01(a) and § 808.02). Therefore, the Examiner's basis relied upon for the restriction is improper.

Therefore, Applicant requests reconsideration and withdrawal of the election/restriction requirement. Should the Examiner believe that a telephone interview would be helpful to expedite prosecution, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

A substantive examination of the above-identified patent application on its merits is respectfully requested.

Respectfully submitted,

  
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